

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION
JURY**

BARBARA GAY

VS.

KEVIN WATLEY AND ALABAMA
MOTOR EXPRESS

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CIVIL ACTION NO. 5:21-CV-255

DEFENDANTS' NOTICE OF REMOVAL

TO THE HONORABLE UNITED STATES DISTRICT JUDGE OF SAID COURT:

1. Defendants, ALABAMA MOTOR EXPRESS and KEVIN WATLEY, by their undersigned attorneys, respectfully show this Court:

2. On January 19, 2021, Cause No. 2021-CI-01094 was commenced against Defendants in the 224th Judicial District Court of Bexar County, Texas, and is now pending therein.

4. This Court has jurisdiction of the above-entitled action pursuant to diversity jurisdiction, 28 U.S.C. § 1332, and the action may therefore be removed to this Court pursuant to 28 U.S.C. § 1441(b).

5. Plaintiff's Original Petition asserts damages in excess of \$1,000,000.00. Accordingly, the amount in controversy is in excess of \$75,000.00, exclusive of interest and costs.

6. At the time of the commencement of this action in the 224th Judicial District Court, and since that time, Plaintiff has been a citizen of the Bexar County, Texas.

7. At the time of the commencement of this suit and since then, Defendant Alabama Motor Express is an Alabama corporation and Defendant Kevin Watley is a resident of Louisiana.

8. This notice is timely filed with this Court within 30 days after service of Plaintiff's Original Petition in the above-entitled action.

9. As required by 28 U.S.C. § 1446(d), a copy of the Notice of Removal is being served on Plaintiff, by and through her attorney of record, and is also being filed with the 224th District Court, Bexar County, Texas.

10. Concurrently with this Notice of Removal, the appropriate Notice of Removal is being filed in state court.

11. Copies of all process, pleadings, and orders filed in this cause, as well as an "Index of Matters Being Filed," are attached hereto in accordance with Local Rules.

WHEREFORE, Defendants pray that the above-entitled action be removed from the 224th Judicial District Court of Bexar County, Texas, to this Court.

Respectfully submitted,

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of March, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Ms. Bianca Habib

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Houston, Texas 77004

//s/ David R. Rangel

DAVID R. RANGEL

NICONDRA CHARGOIS-ALLEN